



COMMONWEALTH *OF* VIRGINIA

DEPARTMENT OF TRANSPORTATION

1401 EAST BROAD STREET
RICHMOND, 23219-1939

DAVID R. GEHR
COMMISSIONER

February 18, 1999

Right of Way Use Fees

All Cities, Counties and Towns
All Certificated Local Exchange Providers

Ladies and Gentlemen:

On July 1, 1998, changes to § 56-458 and 56-462 of the Code of Virginia and the addition of §§ 56-468.1 and 56-468.2 became effective. These changes generally provide for the establishment of a public right of way use fee to cover the use of highway and street right of way by certificated providers of telecommunication services.

Under § 56-468.1, the Virginia Department of Transportation (VDOT) is responsible for calculating The monthly fee per access line based upon a formula. Reports received indicate there were 4,292,254 access lines and 3,007,081 feet of new installation as of September 30, 1998.

Based upon that information, we have determined that the calculated monthly access line charge for The public right of way use fee will be less than fifty cents. Therefore, in accordance with § 56-468.1 Of the Code of Virginia, as amended, for the period from July 1, 1999, through June 30, 2000, the Monthly access fee is established at %0.50 per affected access line.

All telecommunications companies affected by this legislation should take the necessary steps to Include the charge on their billings and to submit collections to the appropriate governmental entity. Monies due to VDOT should be sent to Mr. G.A. Whirley, Fiscal Administrator, at the above address.

The information to be reported to VDOT for next year's recalculation is to be submitted as indicated on the attached form. Should there be any questions regarding the right of way use fee, they should be addressed to Mr. S. A. Waymack, Director of Right of Way and Utilities Division, at (804) 786-2923.

Very truly yours,

A handwritten signature in black ink that reads "David R. Gehr".

David R. Gehr
Commissioner

Enclosure

Cc: Virginia Association of Counties
Virginia Municipal League
Virginia Telecommunication Industry Association
State Corporation Commission

WE KEEP VIRGINIA MOVING